



THE CITY OF NEW YORK
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BY FAX: 212-805-7906

Honorable Denny Chin
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *Michael Wimpell v. The City of New York, et al.*, 07 CV 5698 (DC)

Your Honor:

I am the Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department assigned to represent the defendants in the above-captioned matter. I write jointly with Leo Glickman, Esq., attorney for the plaintiffs, to request an additional 45 days until May 18, 2008, in which to complete discovery. Additionally, the parties request that the conference currently scheduled for April 4, 2008, be adjourned to a date convenient for the Court on or about May 18, 2008. This is the parties first request for an extension of discovery.

Plaintiff alleges that several officers were present during his arrest. Defendants have identified and discussed this matter with the arresting officer, but so far the identities of other officers who may have arrived on the scene have not been determined. Defendants are in the process of contacting all officers in the precinct that could have been present in order to identify any other possible defendants. Additionally, and more importantly, the parties are engaged in serious settlement discussions and hope to resolve this matter prior to taking depositions.

Therefore, the parties request an extension of the discovery cutoff and an adjournment of the scheduled April 4, 2008, conference until May 18, 2008, or such date that fits the Court's schedule. Thank you for your consideration in this matter.

Sincerely,

Assistant Corporation Counsel in the Special Federal Litigation Division

Brian G. Maxey

CC: Leo Glickman, Esq.

Application GRANTED. The discovery cut-off (fact and expert) is extended until 5/23/08. The PTC is adjourned until 5/23/08 at 10:30 am. 3/31/08
SO ORDERED: [Signature] WPT